

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

CHARLES DAILEY,)	
)	
Petitioner,)	
)	Civil Action No. 19-1653
v.)	Judge Nora Barry Fischer
)	Magistrate Judge Lisa Pupo Lenihan
MAGISTRATE GREGORY BAZYLAK, et)	
al.)	
)	
Respondents.)	

ORDER OF COURT

AND NOW, this 6th day of March, 2020, after Petitioner Charles Dailey filed a petition for writ of habeas corpus in the above-captioned matter, (Docket No. [1]), and after a Report and Recommendation was filed by United States Magistrate Lisa Pupo Lenihan recommending that such petition be dismissed for lack of jurisdiction, (Docket No. [4]), akin to the prior petition which was dismissed by this Court on May 21, 2019, *see Dailey v. Bazylak*, Civ. A. No. 19-441, 2019 WL 2192509 (W.D. Pa. May 2, 2019) (Lenihan, M.J.), *report and recommendation adopted as opinion of the court*, 2019 WL 2192506 (W.D. Pa. May 21, 2019) (Fischer, J.) for the same reasons, and Petitioner having timely submitted objections thereto, (Docket No. [5]), and upon independent review of the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is ADOPTED as the opinion of this Court,

IT IS HEREBY ORDERED that Petitioner's Objections [5] are OVERRULED;

IT IS FURTHER ORDERED that the petition for writ of habeas corpus [1] is DISMISSED and a certificate of appealability is DENIED.

IT IS FURTHER ORDERED that Petitioner's Motion for Surveillance Recordings [2] is DENIED, as moot.

IT IS FURTHER ORDERED that the Clerk of Court shall mark this CASE CLOSED.

FINALLY, IT IS ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if any party wishes to appeal from this Order a notice of appeal, as provided in Fed. R. App. P. 3, must be filed with the Clerk of Court, United States District Court, at 700 Grant Street, Room 3110, Pittsburgh, PA 15219, within thirty (30) days.

s/ Nora Barry Fischer
Nora Barry Fischer
Senior U.S. District Judge

cc/ecf: United States Magistrate Judge Lisa Pupo Lenihan

cc: Charles Dailey
19420 N. 5th Dr.
Phoenix, AZ 85015
(via regular and certified mail).